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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,532	06/14/2001	Jeffrey A. Pritchard	42252-1004	8145

32968 7590 12/27/2006  
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EXAMINER
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AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/881,532	PRITCHARD, JEFFREY A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Rasha S. AL-Aubaidi	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 36-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on 09/05/2006 has been entered. Claims have been 36-38, 40-42, 45-46 and 54-55 amended. No further claims have been canceled. No claims have been added. Claims 36-55 are still pending in this application, with claims 36, 38 and 45, being independent.

### ***Claim Objections***

2. Claim 47 is objected to because of the following informalities: Claim 47 recites " The wireless device of claim 450". Claim 47 should depend on claim 45. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 36-43 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlager et al. (US PAT # 6,198,390) in view of Hollenberg (US PAT # 6, 091, 956).

Art Unit: 2614

Regarding claim 36, Schlager teaches a method for providing location-based responses (see col. 6, lines 25-28) to a user utilizing a wireless communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8), the method comprising the steps of: the user storing at least one target location in a memory of the wireless communication device (reads on the separation distance, see col. 11, lines 55-57); the user storing at least one target range (the target range reads on the received field, see col. 12, lines 39-46) in the memory (reads on circuit 328, see col. 12, lines 11-13), the target range corresponding to the at least one target location and defining a surrounding target area that includes the at least one target location (see col. 7, lines 49-57 and col. 8, lines 60-67); determining whether the present location within the target area of at least one target location utilizing a processor of the wireless communication device (see col. 12, lines 16-48 and col. 15, lines 1-16).

Schlager does not specifically teach “the user storing a specific activity associated with at least one target location in the memory” and “outputting an indication of the specific activity associated with at least one target location”.

However, Hollenberg teaches a wireless system for providing services and time-critical information about places and events to mobile computers and their users proximate to their current locations or potential destinations (see abstract, Figs 3-4 and col. 16, lines 11-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of providing information to users based on their destinations (i.e., activities), as taught by Hollenberg, into the Schlager system in order to provide the user with speed and convenience by supplying him/her with the desired information at the desired time.

Claims 38-42 and 44 are rejected for the same reasons as discussed above with respect to claim 36. For claim 38, the claimed "a plurality of physical locations" reads on storing several geographical areas information, (see col. 20, lines 22-65 in Schlager). The claimed "specific task" reads on user's certain activities. For example, providing certain information about merchandise when the user is shopping (see Fig. 4 in Hollenberg). The claimed "processor" as recited in claim 40 reads on the processor functionality as discussed in Hollenberg col. 25, lines 32-55. For claim 41, the claimed "audio conveyance" reads on the audible alarm 254 (see Schlager col. 11, lines 55-59).

Claim 37 recites " the user interface is a display, and wherein the indication is a text display of the specific activity". See col. 16, lines 11-24 and Fig. 4 in Hollenberg.

Claim 43 basically recites the use of (GPS), see col. 3, lines 57-60.

***Claim Rejections - 35 USC § 102***

5. Claims 45-49 and 53-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlager.

For claim 45, the claimed “wireless communications network” reads on reads on networks Cellular phone network 538, Wireless network 540, and radio relay network 542 (see Fig. 17), the claimed “antenna” reads on antenna 306 and/or antenna 322 (see col. 12, lines 1-8); the claimed “memory” reads on circuit 328 (see col. 12, lines 11-13); the claimed “user input device” reads on numerals 150 to enter information (see col. 9, lines 18-20); and the claimed “controller” reads on element 378 (see Fig. 12). For claims 39-40, see col. 7, lines 34-60.

For claim 46, see display 324 (Fig. 11).

Claim 47 basically recites the use of (GPS), see col. 3, lines 57-60.

For claims 48-49, see wireless communications network (540) and cellular communications network (538), col. 15, lines 38-47.

Regarding claim 53, Schlager teaches the target range area is time sensitive (see col. 21, lines 54-65). Also this can be inherent feature.

Art Unit: 2614

Claims 54-55 basically read on providing an audible message 254 (col. 11, lines 55-59).

***Claim Rejections - 35 USC § 103***

6. Claim 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlager et al. (US PAT # 6,198,390).

Regarding claim 50, Schlager teaches the mobile wireless communications device is a wireless handheld communications device (remote station 302, see col. 12, lines 1-2, see also, Fig. 7 and 8).

However, Schlager does not specifically teach the wireless handheld communications device is a laptop, a pager, or a PDA.

Therefore, having the mobile wireless communications device as a laptop computer with a wireless modem, a pager or a personal digital assistant (PDA) would have been obvious since a mobile device can be any one of the above mobile wireless communications devices that the user can carry with him/her at any time and place. Using different type of devices provide the user with the flexibility and convenience.

Claims 51-52 recite the limitations “the target range area is programmed as a two-dimensional shape, and as a three-dimensional space”. It is obvious to

Art Unit: 2614

one of an ordinary skill in the art since to choose and program the target range area in any shape and space desired. An area is generally two-dimensional and a building is generally three-dimensional because the height is a dimension in buildings.

### ***Response to Arguments***

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

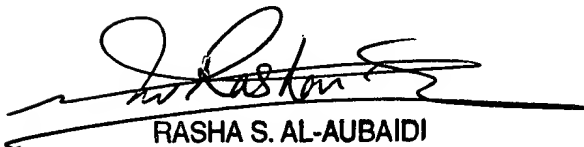


Art Unit: 2614

9 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on (571) 272-7493.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RASHA S. AL-AUBAIDI  
PATENT EXAMINER

**Art Unit 2614**  
**11/11/2006**